

1983 Form

In the United States District Court
For the Northern District of Alabama

CV-11-BE-1397-M - RRA

ANTHONY TYRONE MOSS # 179599PLAINTIFF.(Enter above the full name(s) of the
plaintiff(s) in this action)

v

CARTER DAVENPORT, Head Warden IIIDEFENDANT.(Enter above full name(s) of the
defendant(s) in this action)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (☒)
- B. If your answer to A. is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiff(s): There is NO Previous LawsuitDefendant(s): N/a

2. Court (if Federal Court, name the district; if State Court, name the county)

N/a

3. Docket Number

N/a

4. Name of judge to whom case was assigned

N/a

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

N/a

N/a

6. Approximate date of filing lawsuit N/a

7. Approximate date of disposition N/a

II. Place of present confinement ST. CLAIR Correctional facility

A. Is there a prisoner grievance procedure in this institution?

Yes () No (☒)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes (☒) No ()

C. If your answer is YES:

1. What steps did you take? formal grievance To Exhaust administrative Remedies under 42 U.S.C.A. § 1997(e)(a).

2. What was the result? the formal grievance was denied by the Defendant, He states, the ALA. DEPT. of. Corr. Have NO STATE Prisoner grievance Procedure Period.

D. If your answer is NO, explain why not? BUT the (PLRA) states, before a Lawsuit Can be file. The Exhaustion of administrative Remedies Must be Handle, under 42 U.S.C.A. § 1997(e)(a).

III. Parties

In item A below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) Anthony Tyrone Moss # 179599 B/M

ST. CLAIR Correctional facility 1000 ST. CLAIR Road

SPRINGVILLE, ALABAMA 35146 - 5582

Address _____

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

B. Defendant Carter Davenport

is employed as Head Warden III

at ST. CLAIR Correctional facility

C. Additional Defendants _____

- NONE -

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include, also, the names of other persons involved, dates and places. *Do not give any legal arguments or cite any cases or statutes.* If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

ON JANUARY 3, 2011 around 5:30 P.M., the defendant acted
Under Color of State Law, as the Plaintiff was assaulted
by other prisoners in his cell M-1-5. and as a result
The Plaintiff suffered an actual Physical injury. as He was,
beaten, Harassed, and may have been sexually assaulted as
well. The defendant Jeopardize the Plaintiff Life and was
also grossly negligent, as the Plaintiff lost his left eye
in the process. as the defendant directly participated,
as the defendant learned of the assault and failed to
fix the situation. so defendant created a policy or custom
allowing or encouraging this illegal act. Therefore the defendant
fail to protect the Plaintiff, as there is sure proof

OF a VIOLATION OF RIGHTS, and PLAINTIFF WILL show said
PHYSICAL INJURY, as PLAINTIFF suffered the Lost of His Left Eye
IN the assault. SO The PLAINTIFF LOST Left eye Which CANNOT be
REPLACED, or, Restored and for Pain and Suffering PLAINTIFF
SEEK COMPENSATORY damages, as the defendant acted under
COLOR of STATE LAW.

V. RELIEF

State briefly *exactly* what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

COMPENSATORY Damages IN The amount of \$ 50,000.00 DOLLARS
AGAINST the defendant JOINTLY and SEVERALLY, A JURY TRIAL
ON ALL ISSUES TRIABLE by JURY, The PLAINTIFF'S COSTS IN SAID
SUIT, and any additional RELIEF This COURT deems JUST, PROPER,
and EQUITABLE, for Pain and Suffering from the Lost of Left eye.

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4 / 22 / 2011
(date)

ANTHONY TYRONE MOSS # 179599
ST. CLAIR CORRECTIONAL FACILITY
1000 ST. CLAIR ROAD (C-29)
SPRINGVILLE, ALABAMA 35146-5582

- PLAINTIFF -

anthony tyrone Moss # 179599
Signature(s)